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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of  
**MINSHULL, et. al.**

Examiner: Not Yet Assigned

Application No.: **10/665,873**

Art Unit: 3761

Filed: **September 18, 2003**

Title: **INHALER**

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February 21, 2006  
Date of Deposit

*Paul R. Dukes*  
Signature **Paul R. Dukes**

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents  
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Alexandria, VA 22313-1450

Applicants submit herewith a list of patents, publications, and other information, on the accompanying Substitute for Form 1449A, and copies thereof as required, of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, or before the mailing of a first office action after the filing of a request for continued examination under §1.114 whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

Further to 37 C.F.R. § 1.98 (a)(2)(ii) no copies of listed U.S Patents or U.S. Patent Publications are supplied herewith.

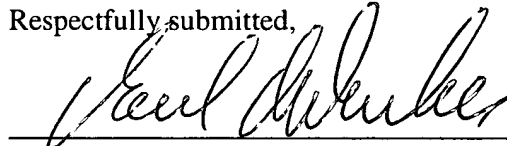
It should be noted that listed publication WO 94/14492 is a priority document for listed U.S. Patents Nos. 5,829,434, 5,740,792, and 5,687,710; WO 95/34874 for 5,988,496; WO96/16687 for 6,076,521; WO 97/20589 for 6,182,655; WO 97/30743 for 6,240,918; and WO 98/41257 for 6,484,717.

Listed publication WO 95/34874 is in the French language, and discloses a dose counting device for inhalators. As noted above, listed U.S. Patent No. 5,988,496 claims priority to this WO application.

Listed publication WO 97/20589 is in the German language, and discloses an inhalator designed to provide multiple doses of a dry pharmacological powder. As noted above, listed U.S. Patent No. 6,182,655 claims priority to this WO application.

Dated: February 21, 2006

Respectfully submitted,



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**Complete if Known**

<b>Application Number</b>	10/665,873
<b>Filing Date</b>	09-18-2003
<b>First Named Inventor</b>	MINSHULL, et. al.
Group Art Unit	3761
<b>Examiner Name</b>	Not Yet Assigned
<b>Attorney Docket Number</b>	USAV2001/0079 - US - NP

(use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	USAV2001/0079 - US - NP
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Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		4,011,829		WACHSMANN, et. al.	03-15-1977	
		4,528,933		ALLEN, et. al.	07-16-1985	
		4,565,302		PFEIFFER, et. al.	01-21-1986	
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		6,076,521		LINDAHL, et. al.	06-20-2000	
		6,182,655		KELLER, et. al.	02-06-2001	
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		WO	01/31578		BRAITHWAITE, et. al.	05-03-2001		
		WO	02/053295		MACMICHAEL, et. al.	07-11-2002		
		WO	94/14492		AMBROSIO, et. al.	07-07-1994		
		WO	95/34874		BRUNA, et. al.	12-21-1995		
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		WO	99/49920		MARNFELDT, et. al.	10-07-1999		

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Date	
Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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